



Reckitt Benckiser (Australia) Pty Limited  
% John Crawford McKnight  
Reckitt Benckiser plc  
Group Patents Department  
Dansom Lane  
Hull  
HU8 7DS

**The Patent Office  
Patents Directorate**

Concept House  
Cardiff Road, Newport  
South Wales NP10 8QQ

Examiner: 01633 813561  
E-mail: [vaughan.thomas@patent.gov.uk](mailto:vaughan.thomas@patent.gov.uk)  
Switchboard: 01633 814000  
Fax: 01633 814444  
Minicom: 08459 222250  
DX 722540/41 Cleppa Park 3  
<http://www.patent.gov.uk>

Your Reference: 11346P5 GB/JCM  
Application No: GB 0326056.9

14 April 2004

Dear Sirs

**Patents Act 1977:  
Combined Search and Examination Report under Sections 17 and 18(3)**

Latest date for reply: 7 November 2005

I enclose two copies of my search and examination report and a copy of the citations.

By the above date you should either file amendments to meet the objections in the report or make observations on them. If you do not, the application may be refused.

**Plurality of invention**

I consider that your application relates to more than one invention as follows:

- i) The packaging means for retaining vapour active pyrethroids according to claims 1-46 and 54-87
- ii) The cellulosic based substrate or matrix according to claims 47-53
- iii) The end-of-life indicator according to claims 88-97

My search report relates to the first invention only. If you want the other inventions searched, you should file further Patents Forms 9/77.

**Publication**

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<sup>†</sup>Use of E-mail: Please note that e-mail should be used for correspondence only.



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I estimate that, provided you have met all the formal requirements, preparations for publication of your application will be completed soon after **29 March 2005**. At this time you will receive a letter confirming the exact date when the preparations for publication will be completed. This letter will also tell you the publication number and date of publication of your application.

### **Withdrawal/amendment**

If you wish to withdraw your application before it is published you must do so before the preparations for publication are complete. **WARNING** - after preparations for publication are complete it will NOT be possible to withdraw your application from publication.

If you wish to file amended claims for inclusion with the published application you must do so before the preparations for publication are completed. If you write to the Office less than 3 weeks before 29 March 2005 please mark your letter prominently:

**"URGENT - PUBLICATION IMMINENT"**.

Yours faithfully

Vaughan Thomas  
Examiner

### **Important information about combined search and examination**

I also ask that you take note of the following points. These might have a bearing on the future stages of your application because the examination report has been sent to you before your application has been published.

- (a) You may file voluntary amendments before making a full response to my examination report. We will publish with your application any new or amended claims you file voluntarily or as a full response, provided that they are received before preparations for publication are completed. It would help us when you file amendments before publication if you could **prominently indicate** in a covering letter whether or not the amendments are intended as a full response to the examination report.
- (b) If you file a full response to the examination report before your application is published I will consider it as soon as possible. However, if this would disrupt the publication of your application, I would have to delay taking any action until the application had been published. This delay could be up to 3 months, depending upon when we receive your response.
- (c) There is another situation when there might be a delay between you filing a full response and the Patent Office responding to it. This would arise if you met all my objections but your application had not or had only recently been published. I could not report the outcome of my re-examination until I was satisfied that the search was complete for documents published before the priority date of



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your invention and that anybody interested in the application has had three months following publication of the application to make observations on the patentability of your invention.

- (d) Provided that the requirements of the Act have been met, I can send your application to grant as early as three months after publication. Before doing so I will bring the original search up to date and raise with you any further objection that might result from this top-up search. However, there is a possibility that at that time I may not have access to all the patent applications published after the priority date of your invention and of possible relevance to your application. If this is the case I would have to complete the search after grant and if necessary raise any new found novelty objection then.



**Application No:** GB 0326056.9  
**Claims searched:** 1-46, 54-87

**Examiner:** Martijn de Lange  
**Date of search:** 13 April 2004

## Patents Act 1977 : Search Report under Section 17

### Documents considered to be relevant:

Category	Relevant to claims	Identity of document and passage or figure of particular relevance
X	1, 2, 54,71 at least	GB 2039740 A (S.C. JOHNSON & SON), see entire document
X	1, 2, 54,71 at least	EP 792581 A (SUMITOMO), see entire document
X	1, 2, 54,71 at least	EP 916260 A (SUMITOMO), see entire document
X	1, 2, 54,71 at least	EP 925717 A (EARTH CHEMICAL), see paragraphs [0008] to [0027] and drawings

### Categories:

X Document indicating lack of novelty or inventive step	A Document indicating technological background and/or state of the art.
Y Document indicating lack of inventive step if combined with one or more other documents of same category.	P Document published on or after the declared priority date but before the filing date of this invention.
& Member of the same patent family	E Patent document published on or after, but with priority date earlier than, the filing date of this application.

### Field of Search:

Search of GB, EP, WO & US patent documents classified in the following areas of the UKC<sup>w</sup>:

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Worldwide search of patent documents classified in the following areas of the IPC<sup>7</sup>:

A01N25/18, A61L9/04, A01M1/20

The following online and other databases have been used in the preparation of this search report :

EPODOC, WPI, JAPIO

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Latest date for reply:

Examiner: Martijn de Lange  
Tel: 01633 813561  
Date of report: 31 March 2004

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## **Patents Act 1977**

### **Combined Search and Examination Report under Sections 17 & 18(3)**

#### **Plurality of invention**

1. Your claims define three separate inventions not forming a single inventive concept. The inventions are:

i) The packaging means for retaining vapour active pyrethroids according to claims 1-46 and 54-87

ii) The cellulosic based substrate or matrix according to claims 47-53

iii) The end-of-life indicator according to claims 88-97

2. You will need to amend your claims, so that they relate to only one invention or inventive concept. You will also need to make consequential amendments to the description. You may wish to consider filing a divisional application. Any such application should normally be filed no later than 3 months before the expiry of the period for putting the present application in order.

#### **Scope of search**

3. In accordance with Section 17(6), only the first of these inventions has been searched. The other inventions can be searched if you wish. In this case you will have to file further Forms 9/77.

#### **What this report covers**

4. I have not been able to consider the novelty or obviousness of the unsearched inventions.

#### **Novelty**

5. The invention as defined in claims 1-2, 54, 71 (at least) is not new because it has already been disclosed in the following document:

GB 2039740 A (S.C. JOHNSON & SON), see entire document



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[ Examination Report contd. ]

### Inventive step

6. The invention as defined in claims 1-2, 54, 71 (at least) is obvious in view of what has already been disclosed in the following documents:

EP 792581 A (SUMITOMO), see entire document

EP 916260 A (SUMITOMO), see entire document

EP 925717 A (EARTH CHEMICAL), see paragraphs [0008] to [0027] and drawings

All three documents disclose a packaging means for retaining vapour active pyrethroids comprising a honeycomb-shaped cellulosic based substrate impregnated and/or dosed with the vapour active pyrethroid with a sufficiently large surface area so as to achieve sufficient emanation of the vapour active pyrethroid to control flying insects and wherein the cellulosic substrate is comprised of one or more discrete parts. Although these documents do not disclose a holder comprising a top, a base and a longitudinal member vertically extending from between the top and the base this construction would appear to be obvious in order to prevent any collapse of the structure as shown e.g. in figure 5(b) of EP 792 581 A.

7. Further consideration of novelty and inventive step of the dependent claims has been deferred in view of the novelty and inventive step objections that have already been raised in this report.

### Clarity and consistency

8. Claims 1, 2, 54 and 71 talk about a honeycomb configuration but in the description the terms "three dimensional structure having a plurality of cells such as honeycomb like arrangements" (page 13 line 35 - page 14 line 1) and "three dimensional structure having a plurality of cells (6) such as honeycomb like shapes and a concertina type configuration" (page 17 lines 17-21) are used. These inconsistencies might cast doubt on the scope of the claims and should be amended so that the same terminology is used throughout.

9. The status of that part of the application designated as "APPENDIX A", and constituting pp.23-58 as well as the further Figures 1-6 of pp.59-64, is unclear. In particular, this part of the application does not appear to relate to the first invention identified in paragraph 1 above and should apparently therefore be deleted.

### Correction

10. Page 21, line 1: The word "be", as in "to be connected", is missing. If you wish, I can make this amendment for you.